

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: INSULIN PRICING LITIGATION

**Case 2:23-md-03080
MDL No. 3080**

**JUDGE BRIAN R. MARTINOTTI
JUDGE RUKHSANAH L. SINGH**

THIS DOCUMENT RELATES TO: ALL ACTIONS

[PROPOSED] CASE MANAGEMENT ORDER #___

(STIPULATION AND ORDER GOVERNING MOTIONS TO DISMISS IN THE SELF-FUNDED PAYER TRACK)

The Parties hereby submit the following Stipulation and Order Governing Motions to Dismiss in the Self-Funded Payer Track:

- (1) The parties will brief motions to dismiss concerning the following three cases selected by Defendants, without objection from Plaintiffs as to Defendants' selections, in the Self-Funded Payer Track: *County of Albany v. Eli Lilly and Co., et al.*, No. 23-cv-7042 (D.N.J.); *Lake County, Illinois v. Eli Lilly and Co., et al.*, No. 23-cv-8487 (D.N.J.); and *King County v. Eli Lilly and Co., et al.*, No. 23-cv-21178 (D.N.J.) ("SFP Motion to Dismiss Actions").
- (2) Each of the Albany County, Lake County, and King County Plaintiffs may file an amended complaint. Any such amended complaint must be filed by April 24, 2024.
- (3) The Manufacturer Defendants will file one consolidated motion to dismiss all three SFP Motion to Dismiss Actions, not to exceed 50 pages. The PBM Defendants will file one consolidated motion to dismiss all three SFP Motion to Dismiss Actions, not to exceed 50 pages. Defendants' motions to dismiss are due on June 10, 2024.

- (4) The Albany County, Lake County, and King County Plaintiffs will jointly file a consolidated opposition to each motion. The oppositions will not exceed 50 pages. Plaintiffs' oppositions are due July 25, 2024.
- (5) The Manufacturer Defendants will file one consolidated reply in support of their motion to dismiss, not to exceed 25 pages. The PBM Defendants will file one consolidated reply in support of their motion to dismiss, not to exceed 25 pages. Defendants' replies are due August 15, 2024.
- (6) All briefing will be exchanged among the parties on the appointed dates, and then submitted to the Court as one omnibus packet following service of the replies.

Stipulated and agreed to by the Parties on April 1, 2024.

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IT IS SO ORDERED.

Dated:

BRIAN R. MARTINOTTI
United States District Judge